



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

various associations is often sufficient to set the imperial authority at defiance, though, it must be added, the law-abiding instinct of the people generally restrains these organizations from becoming contumacious. In no country of the world are sound business maxims more rigorously maintained or a better *morale* established. The sanctity of a Chinese merchant's word is already pretty well known abroad, but it is interesting to observe that this business probity is due to no lofty morality but to the firm conviction that transactions can never be profitable in the long run unless credit is kept inviolable; and credit is of course based on honest dealing. Private concerns preserve the integrity of all individuals in their employ by methods of their own, even while the government is conducted by notoriously corrupt officials. Here is a new instance of the ability of the people as a whole to amend their public institutions; they must be convinced that good government is cheaper than bad and that the example of the guild may be wisely applied to the central and provincial executives. Energy expended upon moral suasion and the sin of stealing is wasted in China, but once satisfied that a governor's *vamen* may be conducted as effectively as a banker's guild in Shensi, and the Chinaman might show as pure politics as anybody in the world.

In his concluding three chapters on methods of transit in China the author is rather less convincing in his arrangement of this matter than elsewhere in his work. This is probably due mainly to the difficulty of compressing all that ought to be said in so brief a space. One would be glad to find here a sufficient *résumé* of recent railway history there, to understand the situation at the present moment, but the story is not made very clear. Perhaps it can never be told without such reflections upon the probity of the "Christian" nations as to arouse the wrath of all his readers. To some of these it will be news that all honesty is not on one side only nor all dishonesty on the other.

F. W. WILLIAMS.

Les droits législatifs du Président des États-Unis d'Amérique.

Par HENRI BOSC. (Paris: Arthur Rousseau. 1906. Pp. viii, 286.)

This monograph was written as a thesis for the doctorate in the University of Aix-Marseilles. In point of scholarship, fairness of treatment and freedom from error it is distinctly superior to the aver-

age foreign dissertation on American Institutions. M. Bosc divides his work into two parts; the first, dealing with the positive rôle of the President in the making of law (*Le droit de message*); the second, with his negative function (*Le droit de veto*), the two being preceded by an introductory discussion of the theory of the separation of powers as that theory was understood by the framers of the Federal Constitution in 1787. The influence of the writings of Locke and Montesquieu in determining the action of the Convention on this point is discussed at length with evidence of a disposition natural to Frenchmen to overestimate Montesquieu's influence (compare Merriam, *American Political Theories*, p. 91). He points out also the extent to which the various European constitutions have imitated the American principle and in what particulars they have departed from it. While the Americans have distributed the powers of government among three departments, each of which is perfectly equal and coördinate with the others, the Europeans have proceeded on the theory of the inequality of departments and have given the position of supremacy to the legislature (p. 29). The Americans rather followed Montesquieu in this respect, while the Europeans have copied Locke and Rousseau in treating the executive more as an assistant to, than as an equal of, the legislature.

M. Bosc compares the power of the President to initiate legislative projects with that of European executives where the parliamentary system prevails and where, consequently, the executive is represented in the chambers by ministers. On account of the absence of the President's ministers from Congress, his share in the initiation of legislative measures is inconsiderable. The author criticises the view of those American writers who maintain that the President's right of message is a right of initiative and affirms that such a right can exist only when the executive has the power to compel the legislature to take into consideration the measures laid before it by his direction (p. 76). He then discusses the various indirect means through which the President may and does influence the course of legislation; chief of which is his appeal to influential members representing the majority party (p. 122). Other means pointed out are his power of appointment, appeals to public opinion and threats of disapproval.

In a chapter, entitled Some Possible Modifications of the American System, M. Bosc discusses the Pendleton Bill of 1881, which proposed to confer upon members of the Cabinet the privilege of occupying

seats in Congress with the privilege of giving information in the course of the debates. He thinks that the enactment of the Pendleton Bill into law would have introduced certain advantages into the American system, but that it would also have been attended by inconveniences. The introduction of the parliamentary system would have so radically changed the working of the Constitution as to endanger its other parts. Thus he says: "Nous ne croyons donc pas, qu'il eût été bon que le bill Pendleton fût voté; il ne nous semble point qu'une pareille réforme soit désirable. La Constitution Américaine forme un tout harmonieux et symétrique dont il est impossible de modifier une partie sans mettre en péril le valeur de l'ensemble. Que les États-Unis la remplacent par une Constitution fondée sur le principe parlementaire c'est possible, et ce serait peut-être meilleur pour eux, mais ils ne peuvent espérer combiner les avantages respectifs des deux grands systèmes de Constitution" (p. 156). In Part II of his monograph M. Bosc discusses the veto power. After examining the views of various writers on the question whether the veto power is legislative or executive in its nature, he concludes that it is legislative, and that in exercising this power the President acts as a third branch of Congress (p. 162). On most points discussed in the second part of his work the author, of course, found it impossible to contribute much information beyond that contained in Edward G. Mason's monograph, which had already thoroughly covered the field. On the nature of the American veto as compared with that of the European executive, however, he makes a distinct contribution to the discussion of the subject.

J. W. GARNER.

American Railroad Rates. By WALTER C. NOYES. (Boston: Little, Brown and Company. 1905. Pp. 277.)

The widely different opinions on the subject of the public regulation of railroad rates, which is really a part of the broader question of the relation of so-called public service corporations to the State, are illustrated by comparison of this book with Parsons' *Heart of the Railroad Problem*, and Meyer's *Governmental Regulation of Railway Rates*. Dr. Parsons sees nothing but evil in the railroad control of railroad rates, while Professor Meyer sees nothing but evil in the governmental regulation of railroad rates. The author of the book,